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Security Council Committee established pursuant to resolution 1718 (2006)

Note verbale dated 14 June 2016 from the Permanent Mission of Latvia to the United Nations addressed to the Chair of the Committee

The Permanent Mission of the Republic of Latvia to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution 1718 (2006) and has the honour to transmit herewith the national implementation report based on paragraph 40 of Security Council resolution 2270 (2016) (see annex). This report has been prepared on the basis of the optional checklist template for measures contained in resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) and 2270 (2016) relevant to Member States' national implementation reports, as suggested by the Committee.

The Permanent Mission of the Republic of Latvia to the United Nations avails itself of this opportunity to renew to the Chair its commitment to provide any further information on the matter, should it be necessary.

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Annex to the note verbale dated 14 June 2016 from the Permanent Mission of Latvia to the United Nations addressed to the Chair of the Committee

Optional checklist: measures contained in Security Council resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) and 2270 (2016) relevant to Member States' national implementation reports

Have concrete measures, procedures, legislation, regulations or policies been adopted in order to:	*Yes/no*	*Indicate measures (in detail)*	*Additional information*	*Remarks*
1. Prevent the direct or indirect supply, sale or transfer to DPRK of: (Fact sheet, sections I to IV, X and XII)[a]				
(a) All arms and related materiel?	Yes	Cabinet Regulation No. 657, adopted on 20 July 2010, on procedures for issuing or refusing to issue a licence for goods of strategic significance and other documents related to the circulation of goods of strategic significance.	Article 44.1 states that the Committee is entitled to refuse the issuance of a licence for export, transit and brokering transactions with respect to goods listed on the Common Military List of the European Union, including the sending of software and technologies using means of electronic communication, on the basis of the international obligations of Latvia and the duty to conform to the arms embargo imposed by the United Nations, the European Union and the Organization for Security and Cooperation in Europe.	

Have concrete measures, procedures, legislation, regulations or policies been adopted in order to:	*Yes/no*	*Indicate measures (in detail)*	*Additional information*	*Remarks*
(b) Nuclear-, ballistic missile- or other WMD-related items or technology?[b]	Yes	See point (a) (above). Law on the Circulation of Goods of Strategic Significance, article 12.4.	See point (a) (above). The Committee is entitled to annul the licences already issued and thereafter not issue licences for goods of strategic significance, if the items in question are or may be intended, in their entirety or in part, for use in connection with the development, production, handling, operation, maintenance, storage, detection, identification or dissemination of chemical, biological or nuclear weapons or other nuclear explosive devices, or the development, production, maintenance or storage of missiles capable of delivering such weapons.	
(c) Luxury goods?[b]	Yes	Council Regulation (EC) No. 329/2007 of 27 March 2007 concerning restrictive measures against the Democratic People's Republic of Korea and its amendments. These amendments include Council Regulation (EU) 2016/841 of 27 May 2016 amending Regulation (EC) No. 329/2007, which gives effect to the measures provided for in Decision (CFSP) 2016/849 and transposes resolution 2270 (2016) into European Union legislation.		

Have concrete measures, procedures, legislation, regulations or policies been adopted in order to:	*Yes/no*	*Indicate measures (in detail)*	*Additional information*	*Remarks*
(d) Any item that could contribute to prohibited programmes or activities or evasion of sanctions?	Yes	Law on the Circulation of Goods of Strategic Significance, article 12.4.	The Committee is entitled to annul the licences already issued and thereafter not issue licences for goods of strategic significance, if the items in question are or may be intended, in their entirety or in part, for use in connection with the development, production, handling, operation, maintenance, storage, detection, identification or dissemination of chemical, biological or nuclear weapons or other nuclear explosive devices, or the development, production, maintenance or storage of missiles capable of delivering such weapons.	Goods of strategic significance include goods not listed in Council Regulation (EC) 428/2009, annex I, per article 4 of the regulation.
(e) Prohibited items for repair, servicing, refurbishing, testing, reverse-engineering, and marketing, regardless of whether ownership or control is transferred?	Yes	See point (d) (above).	See point (d) (above).	See point (d) (above).
(f) Aviation fuel, including aviation gasoline, naphtha-type jet fuel, kerosene-type jet fuel, and kerosene-type rocket fuel, unless the Committee approves in advance on an exceptional case-by-case basis the transfer to the DPRK of such products for verified essential humanitarian needs, subject to arrangement for effective monitoring of delivery and use.	Yes	See point (d) (above).	See point (d) (above).	See point (d) (above).

Have concrete measures, procedures, legislation, regulations or policies been adopted in order to:	*Yes/no*	*Indicate measures (in detail)*	*Additional information*	*Remarks*
These measures shall not apply with respect to the sale or supply of aviation fuel to civilian passenger aircraft outside the DPRK exclusively for consumption during its flight to the DPRK and its return flight.				
2. Prohibit the procurement from DPRK of: (Fact sheet, sections I to IV, XI and XII)[a]				
(a) All arms and related materiel?	Yes	Council Regulation (EC) No. 329/2007 of 27 March 2007 concerning restrictive measures against the Democratic People's Republic of Korea and its amendments. These amendments include Council Regulation (EU) 2016/841 of 27 May 2016 amending Regulation (EC) No. 329/2007, which gives effect to the measures provided for in Decision (CFSP) 2016/849 and transposes resolution 2270 (2016) into European Union legislation.	Law on International Sanctions and National Sanctions, section 8, Restrictions on the circulation of goods of strategic significance and other goods: If, in relation to a subject of sanctions, an arms embargo or a prohibition on the import, export, transit or brokering of other goods has been imposed, a subject governed by private or public law is prohibited from selling, supplying, transferring or exporting goods of strategic significance of a specific kind to the subject of the sanctions, or otherwise alienating them or other goods specified by law, or allowing access to them.	Prohibition on import, export or delivery, in any way, of sanctioned goods.

Have concrete measures, procedures, legislation, regulations or policies been adopted in order to:	*Yes/no*	*Indicate measures (in detail)*	*Additional information*	*Remarks*
(b) Nuclear-, ballistic missile- or other WMD-related items or technology?	Yes	Council Regulation (EC) No. 329/2007 of 27 March 2007 concerning restrictive measures against the Democratic People's Republic of Korea and its amendments. These amendments include Council Regulation (EU) 2016/841 of 27 May 2016 amending Regulation (EC) No. 329/2007, which gives effect to the measures provided for in Decision (CFSP) 2016/849 and transposes resolution 2270 (2016) into European Union legislation.	Law on International Sanctions and National Sanctions, section 8, Restrictions on the circulation of goods of strategic significance and other goods: If, in relation to a subject of sanctions, an arms embargo or a prohibition on the import, export, transit or brokering of other goods has been imposed, a subject governed by private or public law is prohibited from selling, supplying, transferring or exporting goods of strategic significance of a specific kind to the subject of the sanctions, or otherwise alienating them or other goods specified by law, or allowing access to them.	Prohibition on import, export or delivery, in any way, of sanctioned goods.
(c) Any item that could contribute to prohibited programmes or activities or evasion of sanctions?	Yes	Council Regulation (EC) No. 329/2007 of 27 March 2007 concerning restrictive measures against the Democratic People's Republic of Korea and its amendments. These amendments include Council Regulation (EU) 2016/841 of 27 May 2016 amending Regulation (EC) No. 329/2007, which gives effect to the measures provided for in Decision (CFSP) 2016/849 and transposes resolution 2270 (2016) into European Union legislation.	Law on International Sanctions and National Sanctions, section 8, Restrictions on the circulation of goods of strategic significance and other goods: If, in relation to a subject of sanctions, an arms embargo or a prohibition on the import, export, transit or brokering of other goods has been imposed, a subject governed by private or public law is prohibited from selling, supplying, transferring or exporting goods of strategic significance of a specific kind to the subject of the sanctions, or otherwise alienating them or other goods specified by law, or allowing access to them.	Prohibition on any form of import, export or delivery of sanctioned goods.

Have concrete measures, procedures, legislation, regulations or policies been adopted in order to:	*Yes/no*	*Indicate measures (in detail)*	*Additional information*	*Remarks*
(d) Prohibited items for repair, servicing, refurbishing, testing, reverse-engineering, and marketing, regardless of whether ownership or control is transferred?	Yes	Council Regulation (EC) No. 329/2007 of 27 March 2007 concerning restrictive measures against the Democratic People's Republic of Korea and its amendments. These amendments include Council Regulation (EU) 2016/841 of 27 May 2016 amending Regulation (EC) No. 329/2007, which gives effect to the measures provided for in Decision (CFSP) 2016/849 and transposes resolution 2270 (2016) into European Union legislation.	Law on International Sanctions and National Sanctions, section 8, Restrictions on the circulation of goods of strategic significance and other goods: If, in relation to a subject of sanctions, an arms embargo or a prohibition on the import, export, transit or brokering of other goods has been imposed, a subject governed by private or public law is prohibited from selling, supplying, transferring or exporting goods of strategic significance of a specific kind to the subject of the sanctions, or otherwise alienating them or other goods specified by law, or allowing access to them.	Prohibition on any form of import, export or delivery of sanctioned goods.
(e) Coal, iron, iron ore, gold, titanium ore, vanadium ore and rare earth minerals? These measures shall not apply with respect to: (a) Coal that the procuring State confirms on the basis of credible information has originated outside the DPRK and was transported through the DPRK solely for export from the Port of Rajin (Rason), provided that the State notifies the Committee in advance and such transactions are unrelated to generating revenue for the DPRK's nuclear or ballistic missile programmes or other activities prohibited by the resolutions;	Yes	Council Regulation (EC) No. 329/2007 of 27 March 2007 concerning restrictive measures against the Democratic People's Republic of Korea and its amendments. These amendments include Council Regulation (EU) 2016/841 of 27 May 2016 amending Regulation (EC). No. 329/2007, which gives effect to the measures provided for in Decision (CFSP) 2016/849 and transposes resolution 2270 (2016) into European Union legislation.	Law on International Sanctions and National Sanctions, section 8, Restrictions on the circulation of goods of strategic significance and other goods: If, in relation to a subject of sanctions, an arms embargo or a prohibition on the import, export, transit or brokering of other goods has been imposed, a subject governed by private or public law is prohibited from selling, supplying, transferring or exporting goods of strategic significance of a specific kind to the subject of the sanctions, or otherwise alienating them or other goods specified by law, or allowing access to them.	Prohibition on any form of import, export or delivery of sanctioned goods.

Have concrete measures, procedures, legislation, regulations or policies been adopted in order to:	*Yes/no*	*Indicate measures (in detail)*	*Additional information*	*Remarks*
(b) Coal, iron or iron ore transactions that are determined to be exclusively for livelihood purposes and unrelated to generating revenue for the DPRK's nuclear or ballistic missile programmes or other activities prohibited by the resolutions.				
3. Prevent the transfer to or from DPRK of financial transactions, technical training, advice, services (including brokering or other intermediary services) and assistance related to: (Fact sheet, section IV)[a]				
(a) All arms and related materiel?	Yes	Council Regulation (EC) No. 329/2007 of 27 March 2007 concerning restrictive measures against the Democratic People's Republic of Korea and its amendments. These amendments include Council Regulation (EU) 2016/841 of 27 May 2016 amending Regulation (EC) No. 329/2007, which gives effect to the measures provided for in Decision (CFSP) 2016/849 and transposes resolution 2270 (2016) into European Union legislation.	Law on International Sanctions and National Sanctions, section 5, Financial restrictions: If financial restrictions have been imposed in relation to a subject of sanctions, participants in the financial and capital market of Latvia have a duty to take the following actions: • Freeze all financial resources and financial instruments in the ownership or possession, or under the control, of the subject of sanctions • Deny access for the subject of sanctions to financial resources and financial instruments • Not provide the financial services specified in international or national sanctions to the subject of sanctions	

Have concrete measures, procedures, legislation, regulations or policies been adopted in order to:	*Yes/no*	*Indicate measures (in detail)*	*Additional information*	*Remarks*
(b) Nuclear-, ballistic missile- or other WMD-related items or technology?	Yes	See point (a) (above).	See point (a) (above).	
(c) Any item that could contribute to prohibited programmes or activities or evasion of sanctions?	Yes	See point (a) (above).	See point (a) (above).	
(d) Engagement in the hosting of trainers, advisors or other officials for the purpose of military-, paramilitary- or police-related training?		See point (a) (above).	See point (a) (above).	
4. Prohibit the transfer of any items if a designated individual or entity[c] is the originator, intended recipient or facilitator of the item's transfer; in accordance with its national legal processes, freeze funds, other financial assets and economic resources owned or controlled by, and ensure that none are made available to benefit designated individuals or entities, entities of the Government of the DPRK or the Worker's Party of Korea, those acting on their behalf or at their direction and entities owned or controlled by them? (Fact sheet, sections III and VII)[e]	Yes	Council Regulation (EC) No. 329/2007 of 27 March 2007 concerning restrictive measures against the Democratic People's Republic of Korea and its amendments. These amendments include Council Regulation (EU) 2016/841 of 27 May 2016 amending Regulation (EC) No. 329/2007, which gives effect to the measures provided for in Decision (CFSP) 2016/849 and transposes resolution 2270 (2016) into European Union legislation.	Law on International Sanctions and National Sanctions, section 5, Financial restrictions: If financial restrictions have been imposed in relation to a subject of sanctions, participants in the financial and capital market of Latvia have a duty to take the following actions: • Freeze all financial resources and financial instruments in the ownership or possession, or under the control, of the subject of sanctions • Deny access for the subject of sanctions to financial resources and financial instruments • Not provide the financial services specified in international or national sanctions to the subject of sanctions	

Have concrete measures, procedures, legislation, regulations or policies been adopted in order to:	*Yes/no*	*Indicate measures (in detail)*	*Additional information*	*Remarks*
5. Prevent the entry or transit of designated individuals together with their family members, and any individual working on behalf or at the direction of a designated individual or entity or violating the sanctions or assisting in their evasion? Expel such an individual for the purpose of repatriation to the DPRK or to the individual's State of nationality consistent with applicable national and international law, provided that these measures shall not impede the transit of the representative of the Government of the DPRK to United Nations Headquarters or other United Nations facilities to conduct United Nations business. These measures shall not apply with respect to a particular individual if: (a) The presence of the individual is required for fulfilment of judicial process; (b) The presence of the individual is required exclusively for medical, safety or other humanitarian purposes; or (c) The Committee has determined on a case-by-case basis that the expulsion of the individual would be contrary to the objectives of the resolutions. (Fact sheet, sections V and VIII)[a]	Yes	Council Decision (CFSP) 2016/849 of 27 May 2016 concerning restrictive measures against the Democratic People's Republic of Korea and repealing Decision 2013/183/CFSP. Regulation (EC) No. 1987/2006 of the European Parliament and of the Council of 20 December 2006 on the establishment, operation and use of the second generation Schengen Information System (SIS II), article 26.	Law on International Sanctions and National Sanctions, section 7, Restrictions on admission: A subject of sanctions, in relation to which a restriction on admission has been imposed, is prohibited from entering and residing in Latvia or crossing the territory of Latvia in transit.	

Have concrete measures, procedures, legislation, regulations or policies been adopted in order to:	*Yes/no*	*Indicate measures (in detail)*	*Additional information*	*Remarks*
6. Financial measures: (Fact sheet, section IX)[a]				
(a) Prevent provision of financial services or the transfer of any financial or other assets or resources, including bulk cash and gold and through cash and gold couriers, that could contribute to prohibited programmes or activities of the DPRK or to the evasion of sanctions, and exercise enhanced vigilance in this regard?	Yes	Council Regulation (EC) No. 329/2007 of 27 March 2007 concerning restrictive measures against the Democratic People's Republic of Korea and its amendments. These amendments include Council Regulation (EU) 2016/841 of 27 May 2016 amending Regulation (EC) No. 329/2007, which gives effect to the measures provided for in Decision (CFSP) 2016/849 and transposes resolution 2270 (2016) into European Union legislation.		
(b) Prohibit DPRK banks from opening and operating new branches, subsidiaries or representative offices; establishing new joint ventures; or taking an ownership interest in or establishing or maintaining correspondent relationships with banks within a State's jurisdiction or in its territory, unless such transactions have been approved by the Committee in advance?	Yes	See point (a) (above).	See point (a) (above).	
(c) Prohibit financial institutions from opening representative offices or subsidiaries or banking accounts in the DPRK?	Yes	See point (a) (above).	See point (a) (above).	

Have concrete measures, procedures, legislation, regulations or policies been adopted in order to:	*Yes/no*	*Indicate measures (in detail)*	*Additional information*	*Remarks*
(d) Prohibit States from having representative offices, subsidiaries or banking accounts in the DPRK, if the State has credible information that provides reasonable grounds to believe that such financial services could contribute to the prohibited programmes or activities, unless the Committee determines on a case-by-case basis that such offices, subsidiaries or accounts are required for the delivery of humanitarian assistance or the activities of diplomatic missions in the DPRK, pursuant to the Vienna Convention on Diplomatic Relations, or the activities of the United Nations or its specialized agencies or related organizations, or for any other purposes consistent with the resolutions?	Yes	See point (a) (above).	See point (a) (above).	
(e) Prevent the provision of public and private financial support from within their territories or by persons or entities subject to their jurisdiction for trade with the DPRK that could contribute to the nuclear or ballistic missile programmes of the DPRK or other activities prohibited by the resolutions?	Yes	See point (a) (above).	See point (a) (above).	

Have concrete measures, procedures, legislation, regulations or policies been adopted in order to:	*Yes/no*	*Indicate measures (in detail)*	*Additional information*	*Remarks*
7. Prevent new commitments for grants, financial assistance or concessional loans to DPRK, except for humanitarian and developmental purposes, or the promotion of denuclearization? (Fact sheet, section IX (d))[a]	Yes	Council Regulation (EC) No. 329/2007 of 27 March 2007 concerning restrictive measures against the Democratic People's Republic of Korea and its amendments. These amendments include Council Regulation (EU) 2016/841 of 27 May 2016 amending Regulation (EC) No. 329/2007, which gives effect to the measures provided for in Decision (CFSP) 2016/849 and transposes resolution 2270 (2016) into European Union legislation.		
8. Inspect in the State's territory, including in its airports, seaports and free trade zones, the cargo to or from the DPRK, or brokered or facilitated by the DPRK or its nationals, or by individuals or entities acting on their behalf, or transported on DPRK flagged vessel or aircraft? (Fact sheet, section XIII)[a]	Yes	Council Regulation (EC) No. 329/2007 of 27 March 2007 concerning restrictive measures against the Democratic People's Republic of Korea and its amendments. These amendments include Council Regulation (EU) 2016/841 of 27 May 2016 amending Regulation (EC) No. 329/2007, which gives effect to the measures provided for in Decision (CFSP) 2016/849 and transposes resolution 2270 (2016) into European Union legislation.	Law on International Sanctions and National Sanctions, section 8, Restrictions on the circulation of goods of strategic significance and other goods: If, in relation to a subject of sanctions, an arms embargo or a prohibition on the import, export, transit or brokering of other goods has been imposed, a subject governed by private or public law is prohibited from selling, supplying, transferring or exporting goods of strategic significance of a specific kind to the subject of the sanctions, or otherwise alienating them or other goods specified by law, or allowing access to them.	

Have concrete measures, procedures, legislation, regulations or policies been adopted in order to:	*Yes/no*	*Indicate measures (in detail)*	*Additional information*	*Remarks*
(a) Under certain conditions and with certain exceptions, inspect vessels on the high seas and prohibit the provision of bunkering services to DPRK vessels if the State has information that provides reasonable grounds to believe their cargo contains prohibited items?	Yes	Council Regulation (EC) No. 329/2007 of 27 March 2007 concerning restrictive measures against the Democratic People's Republic of Korea and its amendments. These amendments include Council Regulation (EU) 2016/841 of 27 May 2016 amending Regulation (EC) No. 329/2007, which gives effect to the measures provided for in Decision (CFSP) 2016/849 and transposes resolution 2270 (2016) into European Union legislation.		
(b) Prohibit their nationals and those in their territories from leasing or chartering their flagged vessels or aircraft or providing crew services to the DPRK? As called upon, deregister any vessel that is owned, operated or crewed by the DPRK, and not register any such vessel that is deregistered by another Member State?	Yes	See point (a) (above).		

Have concrete measures, procedures, legislation, regulations or policies been adopted in order to:	*Yes/no*	*Indicate measures (in detail)*	*Additional information*	*Remarks*
This measure shall not apply with respect to such leasing, chartering or provision of crew services notified to the Committee in advance on a case-by-case basis accompanied by: (a) information demonstrating that such activities are exclusively for livelihood purposes that will not be used by DPRK individuals or entities to generate revenue, and (b) information on measures taken to prevent such activities from contributing to violations of the resolutions.				
(c) Prohibit their nationals, persons subject to their jurisdiction and entities incorporated in their territory or subject to their jurisdiction from registering vessels in the DPRK, obtaining authorization for a vessel to use the DPRK flag, and from owning, leasing, operating, providing any vessel classification, certification or associated service, or insuring any vessel flagged by the DPRK?	Yes	See point (a) (above).		

Have concrete measures, procedures, legislation, regulations or policies been adopted in order to:	*Yes no*	*Indicate measures (in detail)*	*Additional information*	*Remarks*
This measure shall not apply to activities notified in advance to the Committee, following provision to the Committee of detailed information on the activities, including the names of individuals and entities involved in them, information demonstrating that such activities are exclusively for livelihood purposes that will not be used by DPRK individuals or entities to generate revenue and information on measures taken to prevent such activities from contributing to violations of the resolutions.				
(d) Deny permission to any aircraft to take off from, land in or overfly the Member State's territory unless under the condition of landing for inspection, if the State has information that provides reasonable grounds to believe that the aircraft contains prohibited items, except in the case of an emergency landing?	Yes	See point (a) (above).		

Have concrete measures, procedures, legislation, regulations or policies been adopted in order to:	*Yes/no*	*Indicate measures (in detail)*	*Additional information*	*Remarks*
(e) Prohibit the entry into their ports of any vessel if the State has information that provides reasonable grounds to believe the vessel is owned or controlled, directly or indirectly, by a designated individual or entity, or contains cargo the supply, sale, transfer or export of which is prohibited by the resolutions, unless entry is required in case of emergency or in the case of return to its port of origin, or for inspection, or unless the Committee determines in advance that such entry is required for humanitarian purposes or any other purposes consistent with the objectives of resolution 2270 (2016)?	Yes	See point (a) (above).		
9. Under certain conditions, seize and dispose of prohibited items found during an inspection? (Fact sheet, section XIV)[a]	Yes	Council Regulation (EC) No. 329/2007 of 27 March 2007 concerning restrictive measures against the Democratic People's Republic of Korea and its amendments. These amendments include Council Regulation (EU) 2016/841 of 27 May 2016 amending Regulation (EC) No. 329/2007, which gives effect to the measures provided for in Decision (CFSP) 2016/849 and transposes resolution 2270 (2016) into European Union legislation.		

Have concrete measures, procedures, legislation, regulations or policies been adopted in order to:	*Yes/no*	*Indicate measures (in detail)*	*Additional information*	*Remarks*
10. Prevent the specialized teaching or training of DPRK nationals within their territories or by their nationals of disciplines that could contribute to the prohibited programmes or activities of the DPRK? (Fact sheet, section VI)[a]	Yes	Council Regulation (EC) No. 329/2007 of 27 March 2007 concerning restrictive measures against the Democratic People's Republic of Korea and its amendments. These amendments include Council Regulation (EU) 2016/841 of 27 May 2016 amending Regulation (EC) No. 329/2007, which gives effect to the measures provided for in Decision (CFSP) 2016/849 and transposes resolution 2270 (2016) into European Union legislation.		

Abbreviations: DPRK, the Democratic People's Republic of Korea; WMD, weapons of mass destruction.

[a] Available from https://www.un.org/sc/suborg/sites/www.un.org.sc.suborg/files/fact_sheet_updated_24_may_2016.pdf.

[b] The lists of prohibited nuclear-, ballistic missile- and other WMD-related items, materials, equipment, goods and technology, as well as luxury goods, are available from the website of the Committee (https://www.un.org/sc/suborg/en/sanctions/1718/materials).

[c] The consolidated list of entities and individuals subject to assets freeze and/or travel ban is available on the website of the Committee (https://www.un.org/sc/suborg/sites/www.un.org.sc.suborg/files/1718.pdf).